

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BOARD OF TRUSTEES OF THE CEMENT
MASONS & PLASTERERS HEALTH AND
WELFARE TRUST; et al.,

Plaintiffs,

v.

GBC NORTHWEST, LLC, a limited liability
company, License No. GBCNONL957B6
(hereafter referred to as the "Employer"); et
al.,

Defendants.

C06-1686Z

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) The Court GRANTS Summit Central Construction, Inc.'s ("Summit") and Travelers Casualty and Surety Company of America's ("Travelers Casualty") Motion to Decline the Exercise of Supplemental Jurisdiction and Dismiss Without Prejudice, docket no. 19. Accordingly, the Court DISMISSES Summit, Travelers Casualty, and Sound Transit without prejudice.

(2) The Court STRIKES as moot Plaintiffs' Motion for Summary Judgment, docket no. 13, as against Defendants Summit, Travelers Casualty, and Sound Transit.

(3) The Court DENIES Plaintiffs' Motion for Summary Judgment, docket no. 13, as against GBC Northwest, LLC ("GBC"), because Plaintiffs failed to properly serve GBC with the motion. Attorney John Sinsheimer, whom Plaintiffs served, see Decl. of Serv., docket no. 18, has not appeared on behalf of GBC in this case.

1 (4) The Court ADVISES Plaintiffs that the Court will dismiss Plaintiffs' claims
2 against GBC without prejudice, unless Plaintiffs move for entry of default against GBC or
3 move for summary judgment against GBC, with proper service of the motion upon the party,
4 by April 2, 2007.

5 (5) The Court DENIES Summit's and Travelers Casualty's requests for fees and
6 costs, see docket no. 30, at 8-9, and docket no. 35, at 8.

7 (6) The Clerk is directed to send a copy of this Minute Order to all counsel of
8 record.

9 Filed and entered this 6th day of March, 2007.

10 BRUCE RIFKIN, Clerk

11 s/ Claudia Hawney

12 By _____
13 Claudia Hawney
14 Deputy Clerk
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